

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.764 OF 2005

Shri Umaji Aba Sidh ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr.M.S.Mohite for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 21, 2005.

P.C.

1. Heard Counsel for the parties.

2. Indeed, for the offence for which the Applicant is arrested, ordinarily, as investigation is complete and charge-sheet is filed, the accused ought to be released on bail. However, I find substance in the argument of the learned A.P.P. that this is an exceptional case where the accused ought not to be released on bail because to the

knowledge of the Investigating Officer, there are already five criminal cases registered against the present Applicant for similar offences, which are cognizable offences. Besides, the Investigating Officer has reason to believe that there are other criminal cases pending against the present Applicant. In such a situation, the State may be well advised to take appropriate steps for cancellation of bail or such other action as may be permissible against the Applicant, having regard to the seriousness of the offence and the fact that the Applicant is repeatedly involved in offences which are cognizable offences and the concerned Court has taken cognizance of those offences. In the circumstances, not a case for bail. Hence, rejected.

3. As request for bail is rejected and having regard to the nature of offence, in my opinion, the Trial Court shall decide the case as expeditiously as possible, preferably within six months from the date of receipt of writ of this Court.

4. Application disposed of accordingly.

A.M.KHANWILKAR, J.